

**In the  
Indiana Supreme Court**



IN THE MATTER OF THE  
APPROVAL OF LOCAL RULES  
FOR HENDRICKS COUNTY

Case No.

32500-1108-MS-474

ORDER APPROVING AMENDED LOCAL RULE

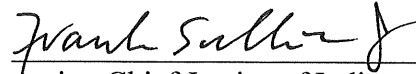
The Judges of the Hendricks Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Hendricks Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR32-AR1-1 complies with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR32-AR1-1 for Hendricks County Courts, set forth as an attachment to this Order, is approved effective January 1, 2012. The Clerk of this Court is directed to forward a copy of this Order to the Hon. Jeffrey V. Boles, Hendricks Circuit Court, P.O. Box 349, Danville, IN 46122-0349; the Hon. David H. Coleman, Hendricks Superior Court 2, One Courthouse Square, Suite 107, Danville, IN 46122; the Hon. Robert W. Freese, Hendricks Superior Court 1, One Courthouse Square, Suite 106, Danville, IN 46122; the Hon. Stephenie LeMay-Luken, Hendricks Superior Court, One Courthouse Square, Danville, IN 46122; the Hon. Karen M. Love, Hendricks Superior Court 3, One Courthouse Square, Suite 108, Danville, IN 46122-0243; the Hon. Mark Smith, Hendricks Superior Court, One Courthouse Square, Danville, IN 46122; to the Clerk of the Hendricks Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Hendricks Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 2d day of August, 2011.

  
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Acting Chief Justice of Indiana

# **HENDRICKS COUNTY LOCAL ADMINISTRATIVE RULES**

## **LR32-AR Rule 00-1. AMENDMENT OF LOCAL RULES.**

1. All Hendricks County Local Rules, Hendricks County Family Law Rules and Hendricks County Probate Local Rules are rescinded effective January 1, 2007.
2. LR32-AR00-1 shall take effect January 1, 2007
3. LR32-AR RULE 1.1. Plan for Allocation of Judicial Services shall take effect January 1, 2012.
4. LR32-AR15-1 shall take effect January 1, 2007.
5. LR32-TR79-1 shall take effect January 1, 2007.
6. LR32-CR2.2-1 shall take effect January 1, 2007.

## **LR32-AR RULE 1-1. PLAN FOR ALLOCATION OF JUDICIAL SERVICES.**

1. As used herein, the term WEEK for case filing shall mean the following:

1.1	Circuit Court	<b>WEEK 6</b>
1.2	Superior Court No. 1	<b>WEEK 1</b>
1.3	Superior Court No. 2	<b>WEEK 2</b>
1.4	Superior Court No. 3	<b>WEEK 3</b>
1.5	Superior Court No. 4	<b>WEEK 4</b>
1.6	Superior Court No. 5	<b>WEEK 5</b>
2. Criminal cases (**MR, FA, FB, FC, FD, CM**) filed with the Hendricks County Clerk shall be assigned by the Clerk according to the LR32-CR2.2-1.
3. All cases with a case designation of **JC, JP, JT, JD, JS, JM** and **RS** and all criminal cases in which the defendant was less than eighteen years of age on the date of the alleged offense shall be filed in Hendricks Circuit Court.
4. All cases with a case designation of **AD, ES, EU EM, GU, MH** and **TR** shall be filed in Hendricks Superior Court No. 1.
5. All cases with a case designation of **OV** shall be filed in Hendricks Superior Court No. 5.
6. All cases with an **IF** case designation from the Police Department of Town of Danville, filed with the Clerk of Hendricks County (unless filed as an additional count in a criminal filing) shall be

- filed in Hendricks Superior Court No. 5. All other infractions shall be filed in one of the Town Courts (unless filed as an additional count in a criminal filing).
7. All cases with a case designation of **SC** shall be filed in Hendricks Superior Court No. 1, Hendricks Superior Court No. 2, and Hendricks Superior Court No. 5 subject to the case load limitations schedule set out herein in **APPENDIX A**.
  8. All cases with a case designation of **PC** shall be filed in the Court having jurisdiction of the original criminal case or in the Court with the criminal filings week if out of county original case.
  9. All cases with a case designation of **MF** shall be filed in Hendricks Circuit Court and Hendricks Superior Court No. 2. After each court reaches its case limit, all additional **MF** cases shall be filed in Hendricks Superior Court No. 2.
  10. After each court reaches its caseload limit, all additional **SC** cases shall be filed in Hendricks Superior Court No. 5.
  11. All cases with a **CC** case designation shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3 and Hendricks Superior Court No. 4, subject to the case load limitations schedule set out herein in **APPENDIX A**. After each Court reaches its case load limit, all additional **CC** cases shall be filed in Hendricks Superior Court No. 3.
  12. All cases with a **CT**, **MI** and **PL** designation shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 4 and Hendricks Superior Court No. 5, subject to the caseload limitations set out herein in **APPENDIX A**. After each Court reaches its case load limit for **MI**, **CT** or **PL**, all additional cases of that type shall be filed alternately in Hendricks Court No. 4 and Hendricks Superior Court No. 5.
  13. All cases with a **DR** case designation shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4 and Hendricks Superior Court No. 5, subject to the case load limits schedule set out herein in **APPENDIX A**. One-half of the DR cases in which the parties have not requested a particular court shall be filed in Hendricks Superior Court No. 3. One-half of the **DR** cases in which the parties have not requested a particular court shall be filed in equal rotation among Hendricks Circuit Court, Hendricks Superior Court No. 2, Hendricks Superior Court No. 4 and Hendricks Superior Court No. 5.
  14. All cases with a **MC** designation shall be filed in Hendricks Circuit Court and each of the five Superior Courts subject to the case load limitations schedule set out herein in **APPENDIX A**.
  15. All cases with a **PO** designation shall be filed based on the *WEEK* rotation on the day in which the case was filed, unless the parties have previously filed a protective order case, a dissolution case or

paternity case. If a protective order case, a dissolution case or paternity case has been previously filed (and not dismissed), the protective order case shall be filed in the same court as the prior protective order case, dissolution case or the paternity case subject to the case load limitations schedule set out herein in **APPENDIX A**.

16. If a **PO** case has been filed and is pending or an Order of Protection has been issued, then the **DR** case involving the same parties must be filed in the same Court as the **PO** case unless that Court has reached its **DR** case limits. In such case the **DR** may be filed in any Court that has not reached its case limit.
17. Cases (except DR cases) in which the parties have not requested a particular court shall be randomly assigned to a court with that case type local jurisdiction subject to the case load limitations schedule set out herein in **APPENDIX A**.
18. An initiating party's request for a particular court shall be granted by the Clerk until that court has reached its case limit or as may be restricted by other sections of this rule. Once a court's annual case limit has been reached, the Clerk shall deny the request for that court and file the case among the other remaining courts with that case type jurisdiction subject to the case load limitations schedule set out herein in **APPENDIX A**. The Clerk shall thereafter limit the filing in this manner until all six (6) courts have reached their case limit.
19. Case load limits only apply to new cases filed. Cases transferred from one court to another shall not be counted by the Clerk of Hendricks County in determining case limits as set out in **APPENDIX A**.
20. When all six (6) courts have reached their case limit for **CT, PL, DR MI and MC**, the Clerk shall rotate the filing equally among the five Superior Courts except the Clerk shall not file any **DR** cases in Hendricks Superior Court No. 1. Circuit Court shall receive no cases in excess of the case limits until the end of the calendar year at which time the process shall start anew.
21. The Clerk of Hendricks County shall notify all courts when any court has reached a case limit and shall post the notice in the Clerk's office to inform the Bar and public.
22. The Judges of the Hendricks Circuit Court and each of the Hendricks Superior Courts shall, without further order or appointment are hereby authorized and empowered to sign orders and conduct hearings for each other in the interest of justice and judicial economy.
23. As necessary to effect compliance with the orders of the Indiana Supreme Court the case limit for any court may be changed by an order issued by a majority of the judges of the Hendricks County Courts.